

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS – SHERMAN DIVISION

MICHAEL MOATES

Case No.: 4:21-cv-00694

V.

MOTION TO TRANSFER

Facebook Inc.

VENUE AND CONSOLDATE

AND IN THE ALTERNATIVE

MOTION FOR HEARING ON

THE MATTER

FILED

OCT 07 2021

Clerk, U.S. District Court
Eastern District of Texas

COMES NOW, MICHAEL MOATES, DC CHRNOICLE, AND DC CHRONICLE LIMITED, RESPECTFULLY ASKING THIS COURT TO CONSIDER A MOTION TO CONSOLDATE UNDER RULE 20 FRCP. PLAINTIFFS ALSO GIVE THE COURT NOTICE THAT THEY NON-SUIT AT&T INC AND WILL PERSUE LITGATION WITH AT&T AT A DIFFERENT TIME. RESERVING ALL RIGHTS.

1. Pursuant to Rule 20. Permissive Joinder of Parties, “Persons may join in one action as plaintiffs if: they assert any right to relief jointly, severally, or in the alternative with respect to or arising out of the same transaction, occurrence, or series of transactions or occurrences; and any question of law or fact common to all plaintiffs will arise in the action.”

1 2. Cases to be joined. Michael Moates v Facebook Inc., et al – Eastern District of
2 Texas 4:21-cv-00694 and DONALD J. TRUMP, the Forty-Fifth President of the
3 United States, ELIZABETH ALBERT, KIYAN AND BOBBY MICHAEL, AND
4 JENNIFER HORTON, INDIVIDUALLY AND ON BEHALF OF THE CLASS v
5 FACEBOOK, INC., and MARK ZUCKERBERG – Southern District of Florida,
6 Miami Division - 1:21-cv-22440-KMW.

8 3. This entire case stems from the same transaction. Facebook implemented a vague
9 ambiguous policy (without notification, to target individuals that they disagree with
10 politically) days before the 2020 Presidential Election that effected millions of
11 individuals across the country including, a sitting President of the United States¹².

13 4. Thousands of individuals across the country were affected by this vague and
14 unannounced policy. Facebook acts and continues to act in bad faith to harm its
15 users. Just this week, Facebook was called out by a former employee who said “As
16 long as Facebook is operating in the shadows, hiding its research from public
17 scrutiny, it is unaccountable. Until the incentives change, Facebook will not change.
18 Left alone, Facebook will continue to make choices that go against the common
19 good. Our common good.”

22 5. The Plaintiff for purposes of this case will submit to the jurisdiction of the
23 Southern District of FL – Miami Division and the court has jurisdiction. It would be
24 in the best interest of finality, judicial economy and fairness.

28 ¹ <https://about.fb.com/news/2021/06/facebook-response-to-oversight-board-recommendations-trump/>

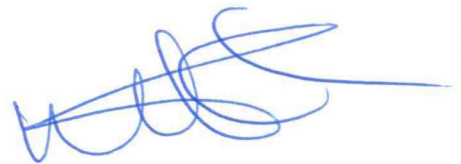
² <https://about.fb.com/news/2020/08/addressing-movements-and-organizations-tied-to-violence/>

1 6. Plaintiffs satisfy the standard of Rule 20, which permits joinder of parties: (a)
2 when there is asserted against them any right to relief arising out of the same
3 transaction, occurrence, or series of transactions or occurrences; and (b) if any
4 question of law or fact common to all defendants will arise in the action. Trail
5 Realty, Inc. v. Beckett, 462 F.2d 396. 399-400 (10th Cir. 1972). Both prongs are
6 satisfied in this case.
7

8 7. The facts of this case, however, justify permissive joinder of the Proposed Parties
9 under the circumstances. As noted above, each of the Proposed Intervenor Plaintiffs
10 is currently engaged in conduct that mirrors that of one of the Plaintiffs.
11

12 8. Due to the extensive costs of litigation, time and resources of the judiciary, the
13 Plaintiff submits that it would be in the courts best interest to hear all matters
14 together.
15

16 **WHEREAS THE PLAINTIFFS IN THIS CASE RESPECTFULLY REQUEST THE**
17 **COURT GRANT THE MOTION TO TRANSFER VENUE TO THE SOUTHERN**
18 **DISTRICT OF FL AND JOIN CASES. IN THE ALTERANTIVE HOLD A**
19 **HEARING ON THE MATTER.**
20

21 

22
23 /s/ Michael Moates

24 **Michael Moates**

25 **2700 Colorado Boulevard #1526**

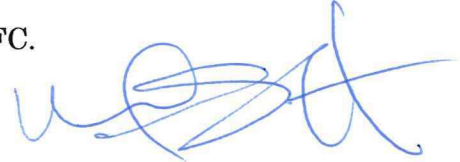
26 **Denton, TX 76210**

27 **(817) 999-7534**
28

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CERTIFICATE OF SERVICE

This document emailed to Defendant's counsel via EFC.



/s/ Michael Moates

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